


### DETAILED ACTION

Claims 1, 3-7, 12-15, 18, 19, 21, 22, 25, 31, 37-39, and 43 are pending in the instant application. Claims 2, 8-11, 17, 20, 23, 24, 30, and 32-36 have been cancelled by amendment filed on May 15, 2008 and claims 16, 26-29 and 40-42 have been cancelled by Examiner's Amendment.

### *Election/Restrictions*

Applicant's election without traverse of Group III and the species wherein A is



tropane, X is C<sub>1-5</sub>alkylene, B is , R<sup>1</sup> is phenyl, Y is -C(O)-, R<sup>3</sup> is alkyl, and R<sup>2</sup> is



in the response filed on May 15, 2008 is acknowledged.

The requirement is still deemed proper and is therefore made FINAL.



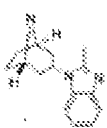



### EXAMINER'S AMEDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 16, 26-29 and 40-42 have been cancelled.

On page 1 of claims, claim 1, line 9, replace "bicyclic ring" with "monocyclic ring"; the resulting line should read "8-membered monocyclic ring having one ring nitrogen and 0".

On page 17 of claims, claim 22, line 4, delete “”; the resulting line should read “    ”.

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: the instantly claimed compounds and pharmaceutical compositions are novel and non-obvious over the prior art because of the structural limitation ring A is a saturated, 8-membered monocyclic ring having one ring nitrogen and 0 heteroatoms (i.e. tropane). The closest prior art is US Patent No. 6,506,750 (Ducoux et al., Jan. 14, 2003) which discloses compounds of formula (I) (page 2, column 2) wherein the definition of X results in piperazine or piperidine rings at the position of formula (I) which correlates to ring A of the instantly claimed compounds. Since the compounds disclosed in Ducoux *et al.* consist of only 6-membered rings at the position which correlates to ring A of the instantly claimed compounds, the compounds disclosed in US Patent No. 6,506,750 have different properties than the compounds of the instant claims and are, therefore, not within the scope of the compounds in the instant claims and are non-obvious variants.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTIN BIANCHI whose telephone number is (571)270-5232. The examiner can normally be reached on Mon-Fri 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamal A Saeed, Ph.D./  
Primary Examiner, Art Unit 1626

Kristin Bianchi  
Examiner  
Art Unit 1626

\*\*\*